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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Nobuyuki Tomihashi et al.

Conf.: 5697

Serial No.: 09/623,010

Group Art Unit: 1713

Filed: August 25, 2000

Examiner: D. R. Wilson

For: AQUEOUS FLUROELASTOMER CURABLE COMPSOITION AND
COATED ARTICLE

DECLARATION OF KIYOTARO TERASAKA UNDER 37 C.F.R. 1.132

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

I, Kiyotaro Terasaka, a citizen of Japan, c/o Yodogawa Works of Daikin Industries Ltd., 1-1, Nishihitotsuya, Settsu-shi, Osaka-fu, Japan, declare and say as follows:

1. I am one of the joint inventors of the above-identified application;
2. I received a Master Degree of Applied Chemistry from the Graduate School of University of Osaka Prefecture in March 1987;
3. Since April 1987 to the present, I have been employed by Daikin Industries Ltd. and engaged in the research works on the development of paint compositions of fluororubbers.
4. I read the Office Action issued on March 13, 2003 in the above-identified application and the prior arts cited therein, in particular EP-A-0 690 096 (EP'096).

To show the superiority of the composition claimed in the above-identified patent application, I carried out a comparative Experiment, which is reported below:

Experiment

An aqueous fluoroelastomer curable coating composition was prepared in the same manner as in Example 1 described in the specification of the above-identified application except that DBU-b was used as a curing accelerator. The stability and the properties listed in Table 1, which is described in the specification of the above-identified application, were as follows:

| | |
|-------------------|------------------------|
| Stability: | Gelled after 2 hours |
| Tensile strength: | 55 kgf/cm ² |
| Elongation: | 151 % |

The properties are inferior to those of Example 1 reported in Table 1 described in the specification of the above-identified application.

The undersigned declares further that all statements made herein of this own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so that made are punishable by fine or imprisonment, or both, under 18 U.S. Code 1001 and that such willful false statements may be jeopardize the validity of this application or any patent issuing thereon.

Kiyotaro Terasaka
Kiyotaro Terasaka

Dated this 1st day of September, 2003